

ZONING HEARING BOARD: July 9, 2019
Frederick W Steudler Jr.
Special Exception and Variance Request

The Providence Township Zoning Hearing Board was held on Tuesday, July 9, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Chairman, Albert Warfel, Vice Chairman, and Omar Smoker. Thomas Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and fifty four (54) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. He introduced the board members and stated there were two decisions being rendered and three additional hearings this evening. The first order of business is rendering a decision for the special exception and variance request by Frederick W Steudler Jr. to allow an expansion of the manufactured home park and to allow more than two (2) access drives per lot frontage on the property located on the east side of Lancaster Pike, 1600' north of Mt. Airy Road. The properties are owned by Frederick W Steudler Jr. and are zoned High Density Residential (R-4). Mr. Duvall turned the hearing over to Mr. Goodman.

Mr. Duvall made a motion to grant the special exception pursuant to Section 204.4.8 and a variance from the requirements of Section 300.1 of the Providence Township Zoning Ordinance, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall file a Stormwater Management Plan and shall comply with all applicable requirements of the Stormwater Management Ordinance.
- c. The Applicant shall file and have approved a Land Development Plan.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:03 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: July 9, 2019

**Oscar Miller
Variance Request**

At 7:05 p.m. Mr. Duvall introduced the second order of business, rendering a decision for the variance request to allow an auto repair shop at 288 Hollow Road. The property is owned by 288 Hollow Road LLC and is zoned Agricultural. Mr. Duvall turned the hearing over to Mr. Goodman.

Mr. Duvall made a motion to grant the variance from the requirements of Section 200.2 of the Providence Township Zoning Ordinance, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. There shall be no outside storage associated with the business other than a trash container.
- c. The Applicant will do all repairs to the automobiles inside of the building. There shall be no repair work on automobiles outside of the building.
- d. The hours of operation shall be from 8:00 a.m. to 6:00 p.m. Monday through Friday. The Applicant may occasionally work on Saturdays by appointment. There shall be no Sunday hours of operation.
- e. Any sign to be erected shall comply with the requirements of the Ordinance and may not be illuminated.
- f. Outside lighting shall be limited to that which now exists at the Premises.
- g. The Applicant or owner of the Premises shall plant an evergreen buffer adjacent to the common property line with the property located to the South of the Premises. The evergreen buffer shall consist of two (2) staggered rows of evergreens and shall extend from the front of the building to a point twenty-five (25) feet from the center line of Hollow Road.
- h. The Applicant may not establish a residence at the Premises unless a Land Development Plan has been filed and approved by Providence Township. Additionally, the Applicant shall obtain any necessary approvals and permits from the Sewage Enforcement Officer prior to establishing a residence at the Premises.
- i. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- j. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:07 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: July 9, 2019
Megan Overly
Special Exception

At 7:10 p.m. Mr. Duvall introduced the third hearing, a request by Megan Overly for a special exception to allow a home occupation for a hair salon at 191 Herrville Road. The property is owned by Bonnie W Overly and is zoned Agricultural. Mr. Duvall turned the hearing over to Mr. Goodman.

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on June 24, 2019 and July 1, 2019, with proof of publication being displayed. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

Megan and Steven Overly were sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Overly confirmed that she will be the only employee and it will not alter the appearance of the dwelling. Mr. Overly confirmed the size of the salon within the dwelling and parking spaces. The Zoning Hearing Board application was marked as App. Ex. #1. The narrative that accompanied the application was marked as App. Ex. #2 and the plot plan was marked as App. Ex. #3.

There were no public questions or statements.

Mr. Duvall made a motion, seconded by Mr. Warfel to close testimony. The motion carried unanimously. Mr. Duvall made a motion to grant the special exception pursuant to Section 200.4.13 of the Providence Township Zoning Ordinance, with the following conditions:

- a. The Applicant shall comply with her plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall obtain any necessary Zoning Permit from the Zoning Officer.
- c. The Applicant shall obtain all necessary Sewage Enforcement Officer approvals.
- d. The Applicant shall submit a copy of the State License to the Zoning Officer.
- e. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- f. This Decision shall bind the Applicant, her heirs, successors, grantees, and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:23 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: July 9, 2019
J Pepper and Diane A Goslin
Special Exceptions and Variance Requests

At 7:26 p.m. Mr. Duvall introduced the fourth hearing, a request by J Pepper and Diane A Goslin for a special exception for adaptive reuse of an agricultural building for a special events venue and a special exception for providing parking on adjoining lot, with the following variance requests; 201.6, maximum building height, 300, access drive requirements, 304, area and bulk requirements for more than one principal use on a lot, 310 lighting plan and design requirements, 313, parking lot design requirements, 320, landscaping and screening plan and design requirements, 321.6.2, wetland buffer area, and 603.15, extension of time to submit land development plans at 64 Snyder Hollow Road. The property is owned by J. Pepper and Diane A Goslin and is zoned Rural Residential (R-1). Mr. Duvall turned the hearing over to Mr. Goodman. Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on June 24, 2019 and July 1, 2019, with proof of publication being displayed. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

J. Dwight Yoder, from Gibbel, Kraybill and Hess was present to represent J. Pepper and Diane Goslin. Mr. Yoder explained the requests. J. Pepper Goslin was sworn in by the court reporter. Upon questioning from Mr. Yoder, Mr. Goslin explained the App. Ex. # 1-9. Mr. Smoker asked about the parking lot on the adjoining lot. Elvin Engel, from Engel Architects, LLC was sworn in by the court reporter. Upon questioning from Mr. Yoder, Mr. Engel, explained the preliminary building plans and lighting plan on App. Ex #10-13. Mr. Warfel asked about the height of the original barn. Craig Williams, Strausser Surveying, was sworn in by the court reporter. Upon questioning from Mr. Yoder, Mr. Williams discussed some of the design variance requests outlined in App. Ex. #14-18. Mr. Warfel asked about driveway easements. Mr. Duvall asked about alcohol. Mr. Smoker asked about traffic control. Mr. Duvall asked about the height. There were three public questions. David Combs, 14 Snyder Hollow Road, asked about serving alcohol and the liability. Tyler Dommel, 146 Snyder Hollow Road, asked about the southern driveway access and the height of the barn. John Summers, 242 Hollow Road, asked about the property owner of the woods behind the property.

There were multiple public statements. Jodie Combs, 14 Snyder Hollow Road, was sworn in by the court reporter. Mrs. Combs stated her opposition to the request. Mrs. Combs had pictures of current issues with the property including burning trash and draining the wetland. The pictures from Mrs. Combs were marked as Protestors Ex. #1-4. Andrew Goslin, 55 Snyder Hollow Road, was sworn in by the court reporter. Mr. Goslin stated it is different building a building in a hollow than on a hill. James Kirchner, 269 Snyder Hollow Road, was sworn in by the court reporter. Mr. Kirchner stated the property is a good host. Mrs. Martinez read an email she received from J. Pepper Goslin III stating his support of the request. Henry Esch, 134 Sawmill Road, was affirmed by the court reporter. Mr. Esch stated his support for the request.

Mr. Yoder presented proposed conditions that he submitted to the Board of Supervisors for review. The proposed conditions were marked as App. Ex. #20. The Board of Supervisors will discuss at their next meeting and Melvin Newcomer, Township Solicitor, will submit a letter to the Zoning Hearing Board counsel and members. The Zoning Hearing Board application was marked as App. Ex. #21. Mr. Duvall made a motion, seconded by Mr. Warfel to close testimony. The motion carried unanimously. Mr. Duvall made a motion to continue the hearing to render a decision at the August 13, 2019 hearing. Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 9:10 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: July 9, 2019
Southern Lancaster County Farmers Sportsmen's Association
Special Exceptions and Variance Requests

At 9:25 p.m. Mr. Duvall introduced the fifth hearing, a request by the Southern Lancaster County Farmers Sportsmen's Association for a special exception to allow a clubhouse for private clubs and a special exception for alternate parking requirements and variance requests to allow an indoor shooting range and the parking location at 742 Hollow Road. The property is owned by S Lanc Farmers Sportsman, Inc. and is zoned Agricultural. Mr. Duvall turned the hearing over to Mr. Goodman. Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on June 24, 2019 and July 1, 2019, with proof of publication being displayed. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

Michael Davis, from Barley Snyder LLC was present to represent the Southern Lancaster County Farmers Sportsmen's Association. Cheryl Love, ELA Group Inc. was sworn in by the court reporter. Upon questioning from Mr. Davis, Mrs. Love confirmed the property details and the proposed layout. The Zoning Hearing Board application including the site plans were marked as App. Ex. #1. The colored plot plan presented was marked as App. Ex. #2. Mrs. Love explained the proposed parking.

Mr. Duvall asked about overflow parking. Norm Miller was sworn in by the court reporter.

There were multiple public questions. Roy Snyder, 462 Sawmill Road, asked about the size of the new building and the outside pavilion. John Schroeder, 17 Solar Drive, asked about the township line and the existing farm area. Wes Mendez, 745 Hollow Road, asked about the wildlife area. Richard Turner, 49 Pennsy Road, asked about ordinance compliance. Jacob Findley, 291 Hopkins Mill Road, asked about the lower level of the building and if the outdoor shooting range would still be in operation. Robert Sparklin, 170 Lamparter Road, asked about the old building location.

There were multiple public statements. Brian Weaver, 1252 Robert Fulton Highway, was sworn in by the court reporter. Mr. Weaver stated the need for the new building. Annette Walker, 715 Hollow Road, was sworn in by the court reporter. Mrs. Walker stated that there is shooting on holidays and before the Sunday hours. John Summers, 242 Hollow Road, was sworn in by the court reporter. Mr. Summers stated he is the groundskeeper and it is a volunteer organization. Wes Mendez, 745 Hollow Road, was sworn in by the court reporter. Mr. Mendez stated the club makes an effort to appease the neighbors. Richard Turner, 49 Pennsy Road, was sworn in by the court reporter. Mr. Turner stated the indoor pistol range will be a positive particularly for law enforcement.

Mr. Duvall made a motion, seconded by Mr. Smoker to close testimony. The motion carried unanimously. Mr. Duvall made a motion to continue the hearing to render a decision at the August 13, 2019 hearing. Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 9:10 p.m.

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